IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1584 of 1990
with
SPECIAL CIVIL APPLICATION Nos 3271, 3636,
4944 and 5423 of 1990

For Approval and Signature:

HON'BLE MR.JUSTICE R.K.ABICHANDANI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PARMAR MAHENDRA FULABHAI
Versus
STATE OF GUJARAT

Appearance:
MR NILESH A PANDYA for the Petitioner
MR LR POOJARI, AGP for Respondent No. 1-3

CORAM : HON'BLE MR.JUSTICE R.K.ABICHANDANI

Date of decision: 06/02/2004

ORAL JUDGEMENT

When these identical matters were called out, it

was pointed out that the petitioners who had been declared successful in the written test which was held in April 16, 1990 were to be appointed on the post of Police Constable for which the test was held, if found suitable otherwise and if they fulfill other eligibility criteria, as was ordered while granting interim relief on 22.5.1990 in Special Civil Application No. 1584/90. Similar orders were passed also in other matters as stated by the learned counsel. Admittedly, all those who were so appointed have been working as Police Constables. The petitioner no. 1 of Special Civil Application No. 1584/90 is said to have passed away. It is stated by the learned counsel for the petitioners in all these petitions that since the petitioners have been working all these years, if they are allowed to continue and if, before any adverse action is to be taken, they are to be given show cause notice, then they would not press for these petitions at this stage. The learned counsel for the respondent-authorities states that since the petitioners have continued for nearly 14 years after having been successful at the written test as per the interim directions, no adverse action will be taken against them without issuance of appropriate show cause notice. In view of this arrangement, the learned counsel appearing in all these matters states that the petitioners do not press for these petitions at this stage. All the petitions stand disposed of accordingly without prejudice to the rights and contentions of both the sides. Rule is discharged in each of them with no order as to costs. The Registry is directed to keep a copy of this judgment in each petition.

[R.K. ABICHANDANI, J.]

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